

ZB# 99-25

Clement Villa

70-1-23

#99-25 - Villa, Clement R.

10-1-23 Area

Truism.

June 28, 1999

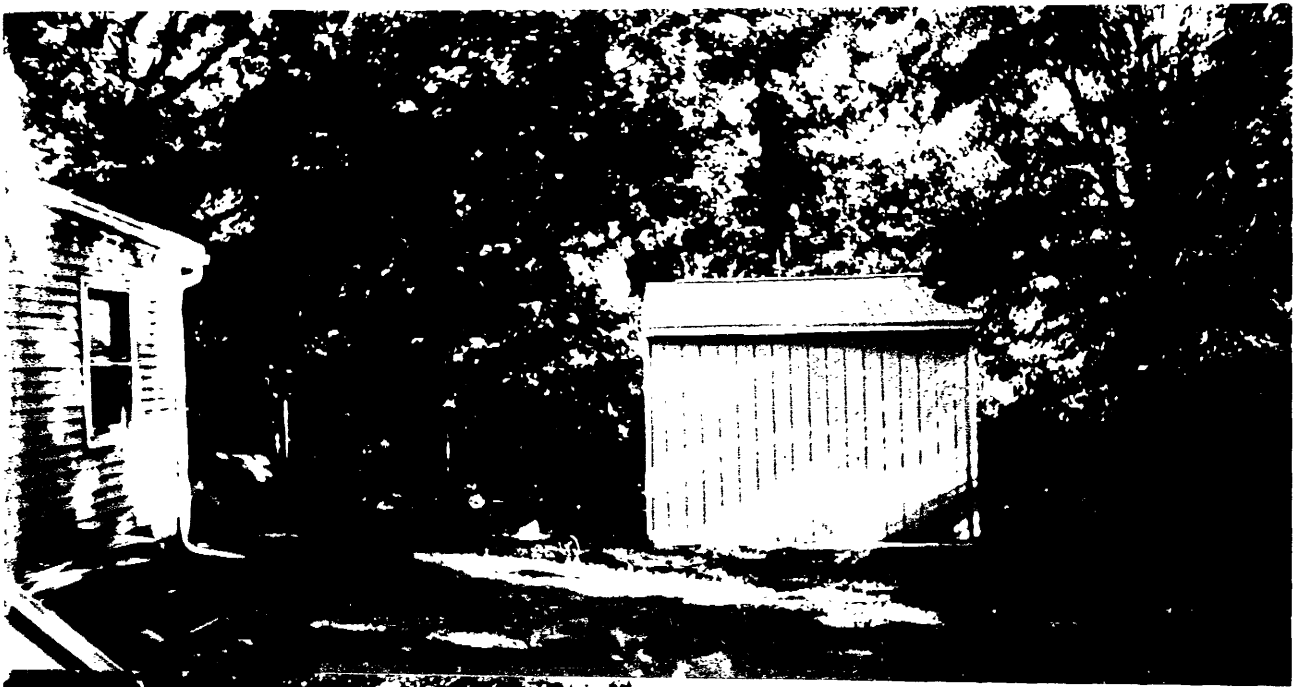
notice to appear 7/29

Public Hearing: 7/29

Aug. 9, 1999.

Refund \$203.00

Granted





Wilson Jones - Carleles - 5165-NCR Duplicate - 5167-NCL Tipical

© Wilson Jones, 1988

DATE 7/28/99 RECEIPT 134180

RECEIVED FROM Clement Villa

Address

ifty 00 DOLLARS \$50.00

FOR 2Bd #99-25 170

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	<input checked="" type="checkbox"/>
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy Hansen

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Villa, Clem

FILE# 99-25

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE _____

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid
ck # 0952*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*ck # 0951 -
7/28/99*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 6/28/99-4 \$ 18.00
2ND PRELIMINARY-PER PAGE 8/9/99-2 \$ 9.00
3RD PRELIMINARY-PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 6/28/99 \$ 35.00
2ND PRELIM. 8/9/99 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING. \$ _____
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
TOTAL \$ 97.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT. \$ 203.00

Date 9/9, 1999

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Clement R. Villa DR.

6 Stirrup Drive, Newburgh, N.Y.

DATE

CLAIMED

ALLOWED

9/9/99

Refund of Escrow #99-25 ZBA

\$ 203. 00

Approved: Patricia A. Bankart
ZBA-

In the Matter of the Application of

CLEMENT VILLA

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#99-25.

WHEREAS, CLEMENT VILLA, residing at 6 Stirrup Drive, Newburgh, New York 12550, has made application before the Zoning Board of Appeals for a 14 ft. rear yard variance for existing addition under Building Permit #526 issued on March 13, 1973 and 7 ft. side yard variance for an existing shed at 17 Haight Drive in an R-4 zone; and

WHEREAS, a public hearing was held on the 28th day of June, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of himself for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The addition has been built and has been in existence for approximately 28 years. The shed has been in existence for 4 or 5 years.

(c) When the addition was constructed it had a building permit but the Building Inspector's records do not indicate that any C.O. was ever granted.

(d) Neither the addition nor the shed were built on top of any water or septic easement, or well or septic system.

(e) Neither the addition nor the shed creates any ponding or collection of water or interferes with the course of drainage of any water.

(f) Since they have been constructed, no complaints, formal or informal have been made on either structure.

(g) The configuration of the property would prevent access to the shed for the purpose of moving it.

(h) The addition being fully constructed and attached to the house cannot be changed.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 14 ft. rear yard variance for an existing addition, and a 7 ft. side yard variance for an existing shed at residence located at 17 Haight Drive, in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: October 25, 1999.


Chairman

Pls. publish immediately.

*Send bill to: Villa
@ below address.*

**PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 25

Request of Clement Villa

for a VARIANCE of the Zoning Local Law to Permit:

existing addition and shed w/ less than the
allowable rear & side yards;

being a VARIANCE of Section 48-12-Table of Use/Bulk Regs. - Cots. F, G.

for property situated as follows:

17 Haight Drive, New Windsor, N.Y. 12553.

known and designated as tax map Section 70, Blk. 1, Lot 23.

SAID HEARING will take place on the 9th day of Aug., 1999, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

By: Patricia A. Barnhart, Secy.

Date 7/27/99, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

(2)

TO Frances Roth
168 N. Drury Lane
Newburgh, N.Y. 12550 DR.

DATE			CLAIMED	ALLOWED
6/28/99	Zoning Board Mtg	(Denise Prodnick)	75 00	
	Misc. 2			
	Oswest Realty - 2			
	McGuinness, Karen - 4			
	Willa - 4 #18.00			
	Estate of Zeccola - 2			
	Jennings - 2			
	Barbera - 2			
	Bigi - 3			
	Barton - 2			
	83		103 50	
			178 50	

STATE OF NEW YORK,
TOWN OF NEW WINDSOR

} ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here

No.

Town of New Windsor

Nature

Amount Claimed \$

Amount Allowed \$

Filed

I hereby certify that at a meeting of
said Town Board held at the office of the
Town Clerk on the day

of, 19.....

the within claim was audited and allowed
for the sum of

\$

.....
Clerk

CLEMENT R. VILLA

MR. NUGENT: Request for 14 foot rear yard variance for existing addition under Building Permit #526 issued on 3/13/73 and 7 foot side yard for existing shed for residence at ~~6 Stirrup Drive~~ in an R-4 zone.

17 Haight Drive

Mr. Clement Villa appeared before the Board for this proposal.

MR. VILLA: It's 17 Height Drive.

MR. NUGENT: 17 what?

MR. VILLA: 17 Height Drive. The address is wrong.

MR. NUGENT: It's not Stirrup Drive at all?

MR. VILLA: No.

MR. BABCOCK: If you look at the location of the property, it says 17 Height Drive. Apparently, that is a mailing address.

MR. VILLA: Yeah, that is a mailing address. It's wrong on here.

MR. NUGENT: Okay. Tell us what you want to do and what's going on.

MR. VILLA: Okay. This addition was put up in '73 at my parents' house. When my parents recently passed away and I took over as executive of the estate. We're trying to sell the house and we need 14 foot as it was inspected for a variance and rear yard set back as well as a 7 foot side yard for an existing shed on the property. The addition was inspected by the electrical underwriter as well as engineer, and both signed it off. Hopefully, the town has the paperwork for that.

MR. KANE: Did we just not close out on the building permit?

MR. VILLA: Apparently, yeah. This all popped up, actually I'm selling it within the family to my sister and this just popped up. And I think the rear yard was a little bit less than it is today. I think back then it was 35 feet which was still over and -- said that I should request a 14 foot variance.

MR. TORLEY: Again, for the reason we saw with the first applicant, make sure you have the right distance.

MR. VILLA: We did it off the original plot plan that was there and just calculated out the distance.

MR. TORLEY: Just make sure you give yourself a little cushion.

MR. VILLA: Should I request a little more?

MR. TORLEY: It's up to you.

MR. VILLA: It's exact on the original plan.

MR. TORLEY: We act on the numbers you give us.

MR. KANE: You're supposed to request the minimum that you need, but we will make sure that you have enough.

MR. VILLA: Okay. The minimum is 14.

MR. REIS: Mr. Villa, how long has the shed been there?

MR. VILLA: The shed has been there approximately to my knowledge about four to five years.

MR. KANE: Cement pad?

MR. VILLA: No. It's on 4 by 4s, plywood base on top of the 4 by 4s.

MR. KANE: Basically, at this point it's impossible to move it?

MR. VILLA: Yeah. I think it's 12 by 10 and 8 foot long and deep about 12 foot. We had considered that but the way it sits and the way you would have to grab it, the way the 4 by 4s are running, I think, you know, it would be tough to try and move it.

MR. REIS: No controversy with your neighbors or anything with it?

MR. VILLA: No. The side yard that it is close I know the neighbors very well, so if you needed a letter on that, I could get that.

MR. NUGENT: You're going to have to send them out a notice that's the only reason. You're going to have to

send out a notice to everybody withing 500 feet of you.

MR. TORLEY: The notice is kind of artificial sounding, so it helps to talk to your neighbors about it. Can we also get some photographs when you come in for the public hearing?

MR. VILLA: Sure.

MR. NUGENT: In case anybody wants to see what it looks like. Okay. Any further questions?

MR. VILLA: The only other thing is the rear yard goes into the woods, so I'm not quite sure who owns that property. The surrounding neighbors I can hit.

MR. TORLEY: You'll pay the tax assessor for a list of the owners of everybody around for 500 feet.

MR. VILLA: Okay.

MR. NUGENT: I'd also make sure that 14 is enough. You actually own the 26 feet I should say?

MR. VILLA: Yeah. The 26 that is there now and the additional 14 that I need would bring me to the property line on the back.

MR. NUGENT: You're sure of that?

MR. VILLA: Well, we did that off the original plan. On the original survey there was a certain amount of feet from the front to the back, and we knew exactly where the house sat on and we took the addition and went back from there.

MR. TORLEY: If the survey didn't show the house --

MR. VILLA: It does show the house. It didn't show the existing addition.

MR. TORLEY: But it does show the house?

MR. VILLA: Yeah. We did the master bath off the house.

MR. REIS: You were able to determine the rear yard?

MR. VILLA: Yeah. And that's how we came up with the footage.

MR. KANE: Mr. Chairman, accept a motion?

MR. NUGENT: Yes.

MR. KANE: I move we set up Mr. Villa with a public hearing on his requested variances.

MR. TORLEY: Second.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. NUGENT: Okay. Here's the paperwork for the next step.

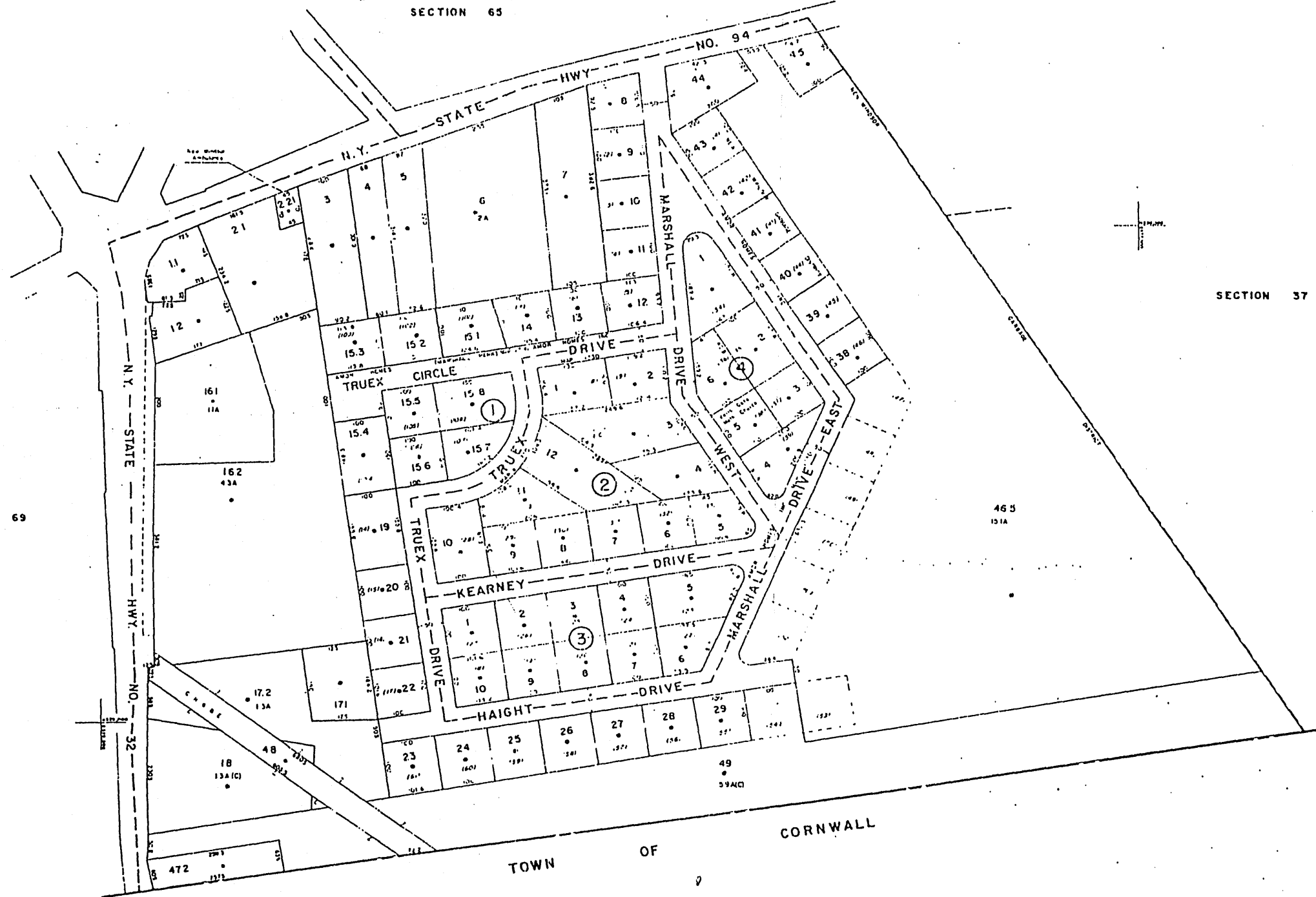
MR. TORLEY: If you have a questions for Pat, she should be back in on Monday.

MR. VILLA: Thank you very much.

SECTION 69

SECTION 65

SECTION 37



TOWN OF CORNWALL

ALL NEWBOROUGH SCHOOL DISTRICT
ALL DATE FIRE DISTRICT

AERO SERVICE
CORPORATION

FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE

LEGEND			
STATE OR SUBDIVISION	FILED PLAN LOT LINE	FILED MAP WHICH NO.	FILED PLAN BLDG. NO.
STATE OWN OR VILLAGE	SECTION LINE	FILED MAP PANELS NO.	FILED PLAN LOT NO.
BLK. B. SECTION LINE	MAJOR LINE	BLK. B.	STATE HIGHWAYS
SPECIAL DIST. CT. LINE	STREAMS	DIMENSIONS	COUNTY HIGHWAYS
PROPERTY LINE			TOWN ROADS

ORANGE COUNTY-NEW YORK

Photo No. 8-497,498 Date of Map 8-24-67
Date of Photo 3-1-65 Date of Revision 3-1-61
Scale 1" = 100'

TOWN OF NEW WINDSOR

Section No. 70

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
June 28, 1999
#99-25
Pg. 1.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: June 1, 1999

APPLICANT: Clement R. Villa
6 Stirup Drive
~~New Windsor~~, New York 12550
Newb.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 70-1-23

FOR : Building Permit #526 issued on 3/13/73

LOCATED AT: 17 Haight Drive

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 70-1-23

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 20' X 32 Addition does not meet minimum 40' rear yard set back.


BUILDING INSPECTOR

PERMITTED 40'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: G 10

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

26'

14'

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

pls. publish immediately

Send bill to: Villa
(at below address).

PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 25

Request of Clement Villa

for a VARIANCE of the Zoning Local Law to Permit:

existing addition and shed w/ less than the
allowable rear & side yards;

being a VARIANCE of Section 48-12-Table of Use/Bulk Regs. - Cots. F, G.

for property situated as follows:

17 Haight Drive, New Windsor, N.Y. 12553.

known and designated as tax map Section 70, Blk. 1, Lot 23.

SAID HEARING will take place on the 9th day of Aug., 1999, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

By: Patricia A. Barnhart, Secy.

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Pg. 2

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: June 23, 1999

APPLICANT: Clement Villa
17 Haight Drive
P.O. Box 556
Vails Gate, New York 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: June 22, 1999

FOR : Existing Shed

LOCATED AT: 17 Haight Drive

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 70-1-23

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing shed does not meet minimum side yard set-back.


BUILDING INSPECTOR

PERMITTED 10'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-1-B

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

3'

7'

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

June 30, 1999

Frank & Margaret Villa
C/o Clement R. Villa, Executor
17 Haight Drive
New Windsor, NY 12253

RE: 70-1-23

Dear Mr. Villa:

Please be advised that the attached list of properties within five hundred (500) feet of the above referenced property. Also be advised the remainder of properties are located in the Town of Cornwall.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's office.

Sincerely,

Leslie Cook
Sole Assessor

/jff
Attachments

Cc: Pat Barnhart, ZBA[®]

Michael & Mary Fernandez
9 Truex Drive
New Windsor, NY 12553

Joseph J. & Gertrude Gonzalez
15 Haight Drive
New Windsor, NY 12553

Angelo Luongo
Marian L. Buckheit
8 Kearney Drive
New Windsor, NY 12553

Pete & Farida Caoli
18 Truex Drive
New Windsor, NY 12553

John E. Jr. & Barbara McDonald
13 Haight Drive
New Windsor, NY 12553

Benjamin Harris Reality Inc.
P.O. Box 780
Cornwall, NY 12518

4 Acres LLC
104 South Central Avenue
Valley Stream, NY 11580

Alexander Vazquez
C/O Mailboxes Etc.
2117 L Street, NW
Washington, DC 20036

Julian & Virginia Russell
15 Truex Drive
New Windsor, NY 12553

Carolyn & Robert W. Jaczko
P.O. Box 231
Vails Gate, NY 12584

George & Paraskevi Lenko
9 Haight Drive
New Windsor, NY 12553

Howard C. & Margaret Q. Nevico
P.O. Box 92
Vails Gate, NY 12584

Josephine DiMiceli
Carolyn Siano
P.O. Box 283
Vails Gate, NY 12584

Jeffrey & Bernadette Fairbanks
7 Haight Drive
New Windsor, NY 12553

Elaine M. De Feo
P.O. Box 246
Vails Gate, NY 12584

Robert W. & Maxine P. Moody
P.O. Box 224
Vails Gate, NY 12584

Runston & Joyce Lewis
5 Haight Drive
Vails Gate, NY 12584

David & Raquel Velazquez
5 Kearney Drive
New Windsor, NY 12553

Secretary of the Department of Housing &
Urban Development
26 Federal Plaza
New York, NY 10268

YKB Property, LLC
P.O. Box 748
Vails Gate, NY 12584

Maria N. Estrada
83-40 Britton Ave., Apt. 3L
Elmhurst, NY 11373

Thomas W. & Dorothy P. Barton
22 Truex Drive
New Windsor, NY 12553

Central Hudson Gas & Electric Corp.
284 South Ave
Poughkeepsie, NY 12603

Gregg S. & Hillary M. Wright
1 Kearney Drive
New Windsor, NY 12553

Deborah B. & Kevin J. Leto
24 Truex Drive
New Windsor, NY 12553

Knox Village, Inc.
2375 Hudson Terr
Fort Lee, NJ 07024

Andrew J. & Janet Cos
4 Haight Drive
New Windsor, NY 12550

Norman W. & Mary Ellen Grinder
26 Truex Drive
New Windsor, NY 12553

Roseann Coakley
6 Kearney Drive
New Windsor, NY 12553

Charles E. Kall
8 Haight Drive
New Windsor, NY 12553

CLEMENT VILLA
ZBA PUBLIC HEARING NAMES
NEW WINDSOR, SECTION: 70 BLOCK: 1 LOT: 23

~~9-1-19.1~~

~~Knox Village
A35 Blooming Grove Turnpike
new Windsor, NY 12553~~

~~9-1-46~~

~~Central Hudson Gas & Electric Corp.
C/O James Ferguson
284 South Avenue
Poughkeepsie, NY 12601~~

~~9-1-53~~

~~YKB Associates
Box 748 - Route 32
Vails Gate, NY 12584~~

9-1-54

Morton Haber
Tower Hill Road
Tuxedo, NY 10987

**ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK**

In the Matter of the Application for Variance of

Clement R. Villa

Applicant.

#19-25

**AFFIDAVIT OF
SERVICE BY
MAIL**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, Windsor, N. Y. 12553.

That on July 29, 1999, I compared the 31 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this

29th day of July, 1999.

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984066
Commission Expires July 15, 2001

WARNING:

NO REPRESENTATION IS MADE THAT THIS FORM OF CONTRACT FOR THE SALE AND PURCHASE OF REAL ESTATE COMPLIES WITH SECTION 5-702 OF THE GENERAL OBLIGATIONS LAW ("PLAIN ENGLISH"). CONSULT YOUR LAWYER BEFORE SIGNING IT.

CONTRACT OF SALE

DATE: , 1999

THIS DOCUMENT DOES NOT CONSTITUTE AN OFFER TO SELL BY THE SELLER UNTIL SAME IS SIGNED BY THE SELLER.

Seller and Purchaser agree as follows:

SELLER: CLEMENT R. VILLA, Executor under L/W/T of Margaaret I. Villa,
6 Stirrup Drive, Newburgh, New York 12550

PURCHASER: THOMAS McGOWAN
431 Blooming Grove Turnpike, Apt. 41, New Windsor,
New York 12553.

PURCHASE AGREEMENT

Seller shall sell and Purchaser shall buy the Property on the terms stated in this Contract.

PROPERTY

The property is described as follows:

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

BUILDING AND IMPROVEMENTS

The sale includes:

(a) All buildings and improvements on the Property.

(b) All fixtures and articles of personal property attached to or used in connection with the Property, unless specifically excluded below. Seller represents they are paid for and owned by Seller free and clear of any lien other than the existing mortgage. They include, but are not



CLEMENT R. VILLA
GWENN VILLA
6 STIRRUP DR.
NEWBURGH, NY 12550

0951

July 28, 1999 29-7003/2213

Pay to
the order of Town of New Windsor \$ 360.00
Three Hundred Dollars & 00/100 Dollars

ALBANK, FSB
NEWBURGH, NY 12550

For Escrow Fee #99-25 ZBA C.R. Villa

⑆ 221370030⑆ 25 05308 3⑈ 0951



CLEMENT R. VILLA
GWENN VILLA
6 STIRRUP DR.
NEWBURGH, NY 12550

0952

July 28, 1999 29-7003/2213

Pay to
the order of Town of New Windsor \$ 50.00
Fifty Dollars & 00/100 Dollars

ALBANK, FSB
NEWBURGH, NY 12550

For Variance Fee #99-25 ZBA C.R. Villa

⑆ 221370030⑆ 25 05308 3⑈ 0952

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

99-25

Date: 7/28/99

I. Applicant Information:

- (a) Clement R. Villa 17 Haight Dr, New Windsor, NY (Owner) 497-3659
(b) _____
(c) _____
(d) _____

II. Application type:

- ☐ Use Variance ☐ Sign Variance
☒ Area Variance ☐ Interpretation

✓ III. Property Information:

- (a) R-9 17 Haight Drive 70-1-23 100x101 +
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? C zone
(c) Is a pending sale or lease subject to ZBA approval of this application? Yes
(d) When was property purchased by present owner? 1958
(e) Has property been subdivided previously? No
(f) Has property been subject of variance previously? _____
If so, when? _____
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____

(b) ^{11/17} The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. _____.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>10 ft.</u>	<u>3 ft.</u>	<u>7 ft. (Shed)</u>
Reqd. Rear Yd. <u>40 ft.</u>	<u>26 ft.</u>	<u>14 ft. (addition)</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

I feel the addition and shed do fit in
with the character of the neighborhood and will not
have an adverse effect on the neighborhood.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign ..	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)